

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

JOHN BUFF,)
)
Plaintiff,)
)
vs.) Case No. 1:06CV00138 ERW
)
CHUCK DWYER, et al.,)
)
Defendants.)

MEMORANDUM AND ORDER

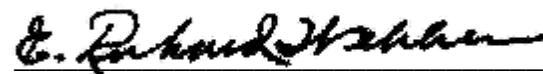
This matter comes before the Court on Plaintiff John Buff's ("Plaintiff") Motion for Leave to Serve, Subpoena, and Obtain Written Depositions from (10) Non-Party Witnesses [doc. #112] and Plaintiff's Motion for Leave to Depose Named Defendants [doc. #121]. The Court heard arguments from the parties on these Motions on September 30, 2009.

The Court concludes that Plaintiff's discovery in this case should proceed by written interrogatories. Plaintiff may serve first interrogatories on the recently-added Defendants, and second interrogatories on those parties from whom Plaintiff has already obtained discovery. Plaintiff has expressed some concern that the use of interrogatories will leave him unable to complete discovery in this case by the discovery deadline of November 6, 2009. If that, in fact, proves to be an issue, the Court will adjust the deadline accordingly.

Accordingly,

IT IS HEREBY ORDERED that Plaintiff's Motion for Leave to Serve, Subpoena, and Obtain Written Depositions from (10) Non-Party Witnesses [doc. #112] and Plaintiff's Motion for Leave to Depose Named Defendants [doc. #121] are **DENIED**.

Dated this 1st Day of October, 2009.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE